

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

841 Chestnut Building  
Philadelphia, Pennsylvania 19107

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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

JUN 02 1987

In Reply Refer To: 3HW14

Gould, Inc.  
10 Gould Center  
Rolling Meadows, Illinois 60008  
Attention: James Gibbs

Re: Marjol Battery Site  
Throop, Pennsylvania

Dear Mr. Gibbs:

The U.S. Environmental Protection Agency ("EPA") is seeking information concerning a release, or the threat of a release, of hazardous substances into the environment. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9604(e), et. seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA"), your company is requested to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its officers, employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), particularly lead, lead salts, industrial acid wastes, phenanthrene, anthracene, and naphthalene which were transported to, or stored, or disposed of at the Marjol Battery and Equipment Company, Delaware Street, Throop, Lackawanna County, Pennsylvania.

All information and documents requested are due to the address listed below within ten (10) calendar days of receipt of this letter.

The response should include, but not be limited to, information and documentation concerning:

1. The types and quantities of the hazardous substances sent to the Marjol Battery site;
2. The date(s) such substances were sent to the Marjol Battery site;
3. The state (i.e., liquid, solid, or gaseous) of the substances sent to the Marjol Battery site and the manner in which the substances were stored or disposed (i.e., drummed or uncontained, placed in lagoons, landfilled, placed in piles, etc.);

AR100411

ORIGINAL  
(Red)

4. Any correspondence between your company and any regulatory agencies regarding such substances;
5. Any correspondence between your company and any third party regarding such substances;
6. The identity of, and documents relating to, any other person who generated, treated, stored, transported, or disposed, or who arranged for the treatment, storage, disposal, or transportation of such substances to the Marjol Battery site; and
7. Copies of any deeds, rights-of-way, leases, or other real interests which your company has/had in the Marjol Battery site.

Please describe any documents that were maintained by your company of the transactions with the Marjol Battery site including the date of the documents, the author of the documents, the current location of the documents and the current custodian, and all efforts that were taken to identify these documents.

In addition to the above information, if your company is privately insured against releases of hazardous wastes or substances as a result of the handling of such materials, please inform us of the existence of such insurance and provide us with copies of all insurance policies.

As used herein, the term "documents" means writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

You are entitled to assert a claim of business confidentiality covering part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

AR100412

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Please send the required information to:

Michael R. Mason, Compliance Officer  
U.S. Environmental Protection Agency, Region III  
CERCLA Removal Enforcement Section (3HW14)  
841 Chestnut Building, 6th Floor  
Philadelphia, PA 19107

If you have any questions concerning this matter, please contact  
Mr. Mason at (215) 597-6684.

Sincerely,



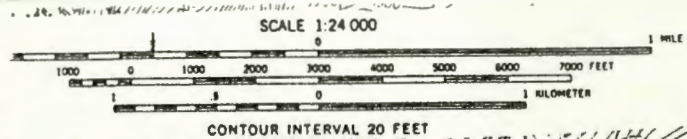
Bruce P. Smith, Chief  
Hazardous Waste Enforcement Branch

Enclosure(s): Location Map

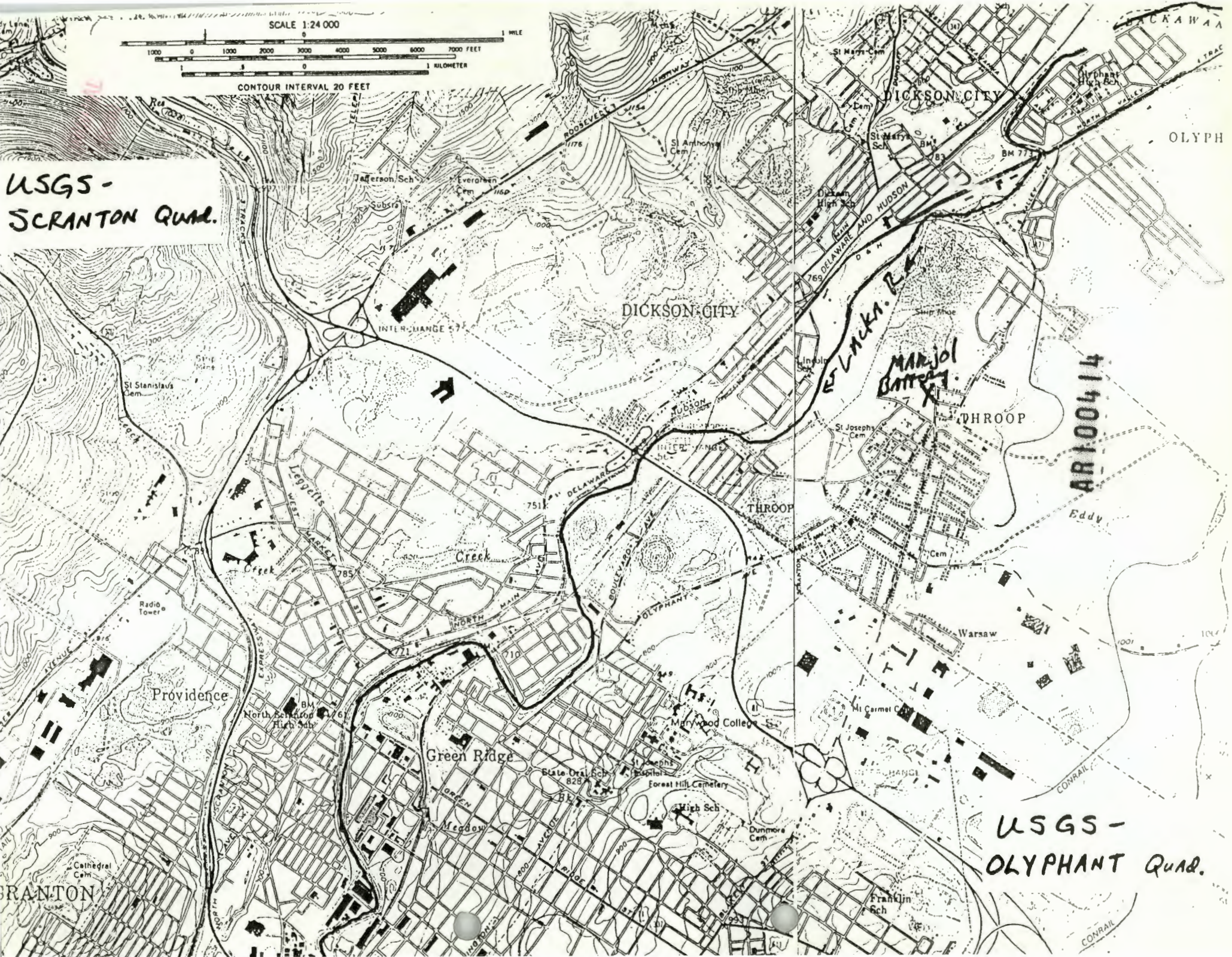
cc: Reno Ducceschi, PADER

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USGS -  
SCRANTON QUAD.



USGS -  
OLYPHANT QUAD.

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Sent Via Federal Express

July 1, 1987

Mr. Michael R. Mason, Compliance Officer  
U.S. Environmental Protection Agency, Region III  
CERCLA Removal Enforcement Section (3HW14)  
841 Chestnut Building, 6th Floor  
Philadelphia, PA 19107

Re: Marjol Battery Site, Throop, PA (the "Site")

Dear Mr. Mason:

In response to the U.S. Environmental Protection Agency (Region III) letter of June 2, 1987, the following information is provided:

1. Types and quantities of hazardous substances sent to the Site-- Lead and sulfuric acid obtained principally from automotive storage batteries were sent to the Site from approximately 1963 to April 1981. In addition, some industrial batteries were also sent to the Site. Gould does not know how many batteries were sent to the Site prior to May 7, 1980, the date Gould acquired the Site as a result of its acquisition of the Marjol Battery Company. From May 1, 1980 to April 1981, approximately 16,000 tons of batteries were sent to the Site.
2. Date (s) substances were sent to the Site-- See response to 1 above.
3. State of the substances sent to the Site and manner in which the substances were stored or disposed-- Lead and sulfuric acid were contained in automotive storage batteries. The lead, consisting of grid plates, posts and straps, was stored in bins for periodic shipments to lead recycling facilities. The rubber and plastic battery casings were crushed and from 1963 until May 1980 were, to the best of Gould's knowledge and belief, landfilled at the Site. To the best of Gould's knowledge and belief, the sulfuric acid was disposed of at the Site. Sometime

AR100516

ORIGINAL  
(Red)

after Gould's acquisition of Marjol, Gould constructed a lead acid treatment facility on the Site which neutralized the acid. After neutralization, this liquid was discharged into the sewer system. From May 1980 until battery breaking operations ceased at the Site in April 1981, battery casings were stockpiled and periodically removed from the Site by an independent contractor.

4. Correspondence between Gould and any regulatory agencies-- Gould is in the process of reviewing its records and will produce all relevant documents.
5. Correspondence between Gould and any third party regarding such substances-- See response to 4 above.
6. Identity of, and documents related to any other person who generated, treated, stored or disposed of substances to the Site--See response to 4 above.
7. Deeds, rights-of-way, leases relating to the Site-- See response to 4 above.

Regarding the documents maintained by Gould in connection with the Site, Gould has limited records maintained by Marjol prior to May 1, 1980 and its records since that date. Records include accounting records such as payroll, F.I.C.A., tax returns, general ledgers, etc., environmental correspondence with local, state and federal agencies, Site environmental sampling results, third-party correspondence, engineering studies and closing documents pertaining to Gould's acquisition of Marjol. All records have recently been retrieved from Gould's record storage, are being organized and will be made available to EPA.

Gould has private insurance but it is unknown whether any of its policies apply to releases of hazardous waste at the Site. Gould's Insurance Department is reviewing this matter and additional information will be provided to EPA.

I am the custodian of Gould's records and am the point of contact at Gould regarding matters pertaining to the Site. My direct line is (312) 640-4716.

AR100517

Michael R. Mason  
July 1, 1987  
Page No.3

ORIGINAL  
(Red)

In accordance with our telephone conversation on June 24, 1987, please send me copies of the results of EPA's recent tests at the Site. After receipt of this information, Gould is prepared to meet with the EPA to discuss what, if anything, must be done at the Site.

Thank you for your cooperation.

Sincerely,



Michael C. Veysey  
Assistant General Counsel

MCV:bt

AR100518